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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,938	04/06/2000	Dushyant Sharma	6582-RCE	7936

22922 7590 06/27/2008

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ART UNIT	**PAPER NUMBER**
3621	

MAIL DATE	DELIVERY MODE
06/27/2008	PAPER

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/543,938
Filing Date: April 06, 2000
Appellant(s): SHARMA, DUSHYANT

Kevin Wingate
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed on 04 January 2008 appealing from the Office action mailed on 30 September 2005.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 2-10, 13, 17, 22-30, 32-34, 39, 41-43, 50 and 82-97 are rejected under 35 U.S.C. 102(e) as being anticipated by Savage et al (U.S. PG Pub No 2002/0026394).

3. As per claims 82, 83-87, 88 and 89-97, Savage et al teach an electronic bill presentment and payment system for presenting and paying bills via an electronic data network, comprising an input processing functionality adapted to receive billing data from a plurality of billers in a plurality of different billing data forms a parsing functionality adapted to parse the billing data received from the plurality of billers in a plurality of different billing data forms to transform the billing data into a common document model wherein the transformed billing data is all of the same form a database adapted to store the transformed billing data parsed by the parsing functionality presentation functionality coupled to the database and adapted to retrieve transformed billing data from the database and to output at least some of the retrieved transformed billing data via the electronic data network for use by bill payers; and biller

interactivity functionality coupled to the database and adapted to allow the plurality of billers individually to retrieve and review transformed billing data from the database and to after the transformed billing data in the database *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

4. As per claims 2-4, Savage et al teach a system wherein the parsing functionality is adapted to parse data from a print/interchange/financial stream of data provided by a biller *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

5. As per claims 5-9, Savage et al teach a system wherein the presentation functionality is adapted to output transformed billing data for use by the bill payers using style sheet in order to render transformed billing data is a suitable form using markup language, is adapted to output transformed billing data for use by bill payers using or not financial software or browser *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

6. As per claims 10, 50, Savage et al teach a system for presenting and paying bills comprising interactivity functionality to detect and respond to communication from bill payers by retrieving transformed billing data from the database and presenting it to a payer in a form requested by the bill payer, and altering transformed billing data in the database corresponding to the bill payer according to the communications *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

7. As per claims 17, Savage et al teach a system for presenting and paying further comprising a financial source interface adapted to send and receive communication to and from at least one financial entity and to alter transformed billing data in the database according to the financial source communications *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

8. As per claims 22-24, Savage et al teach a system wherein the billing data is extracted from a print/interchange/financial stream of data provided by a plurality of billers *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

9. As per claims 25-29, Savage et al teach a system wherein some transformed billing data is output using the bill payers using style sheet in order to render transformed billing data is a suitable form using markup language, is adapted to output transformed billing data for use by bill payers using or not financial software or browser *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

10. As per claims 30-33, Savage et al teach a system further comprising detecting and responding to communication from bill payers by retrieving transformed billing data from the database and presenting it to a payer in a form requested by the bill payer; and altering transformed billing data in the database corresponding to the bill payer according to the

communications *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

11. As per claims 34, Savage et al teach a system wherein the interface is adapted t allow bill payers to specify the location of the output *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

12. As per claims 41-43, Savage et al teach a system wherein the biller interface is adapted to allow the plurality of billers to alter the appearance bill presentment and to communicate with payers based on market segments *(see figs 1, 2, 3, 6, 8, 2.3, 30 paragraphs 0003, 0004, 0013, 0015, 0018, 0021, 0023, 0054, 0055, 0058).*

(10) Response to Argument

Argument 1: Savage, et al. ("Savage") does not describe or suggest such a parsing functionality, since the system and method described in Savage, et al requires that all data be received in a pre-established flat file line item format

Response 1: Savage takes a number of disparate billing statements that a consumer receives from different entities, such as the energy 104, telecommunications 102 and credit card 106 statements, and automatically combines them into one billing statement. It then presents that statement to the consumer via a number of platform such as such as paper, fax, web-based or disk to the customer 110 (par. 55).

The invention by Savage receives different billing data feeds from the different entities. Savage then examines the data, validates it and calculates the different charges, including taxes

(parsing). Additionally, Savage performs high level analysis, such as analyzing market/industry (par. 112-113), based on the data feeds that it receives from the different billers/vendors. The data feeds that Savage receives from the different entities are automatically formatted (par. 23) to be combined into one billed. The system then sends the formatted bill to the consumer in the form of an e-mail and stores in a database (par. 24). Appellant is correct in that Savage sends to the different billers file consisting of records (flat file). This file is for backend communication between the billers and system. The file in question indicates all new service requests, modifications, and termination requests for products and services provided by the supply chain vendor 140. This file includes data relative to the action to be performed. Examples of such actions include a request for new service, acknowledgment of receipt of new service request and return of the vendor's order number. Other examples include an error in a new service request with appropriate error code or codes, acknowledgment of new service activation and return of the vendor's order number, a request for termination of service, acknowledgment of receipt of termination request, an error in termination request with error code or codes, and acknowledgment of termination of service (par. 77). The flat file is used to keep records when there is no embedded structure information that governs relationships between records (i.e., disparate records). Such is the case when there is a dispute between regarding a wrong bill (par. 92).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Evens Augustin

Art Unit 3621

June 28, 2008

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